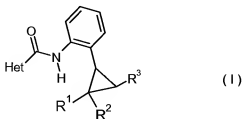


AMENDMENTS TO THE CLAIMS

1. (Currently amended) A compound of formula (I):



Het is pyrrolyl, pyrazolyl or thiazolyl, each being substituted by groups R⁴, R⁵ and R⁶;

R¹ is hydrogen, fluoro, chloro or bromo;

R² is hydrogen, fluoro, chloro or bromo;

R³ is;

optionally substituted C₂₋₁₂ alkyl, wherein, when present, each optional substituent is, independently, selected from fluoro, chloro, bromo, hydroxy, cyano, C₁₋₄ alkoxyC(=O), formyl, nitro, C₁₋₄ alkoxy, C₁₋₄ haloalkoxy, C₁₋₄ alkylthio, C₁₋₄ haloalkylthio, HC(OR')=N and R'R''NN=C(H);

optionally substituted C₂₋₁₂ alkenyl, wherein, when present, each optional substituent is, independently, selected from fluoro, chloro, bromo, hydroxy, cyano, C₁₋₄ alkoxyC(=O), formyl, nitro, C₁₋₄ alkoxy, C₁₋₄ haloalkoxy, C₁₋₄ alkylthio, C₁₋₄ haloalkylthio, HC(OR')=N and R'R''NN=C(H);

optionally substituted C₂₋₁₂ alkynyl, wherein, when present, each optional substituent is, independently, selected from fluoro, chloro, bromo, hydroxy, cyano, C₁₋₄ alkoxyC(=O), formyl, nitro, C₁₋₄ alkoxy, C₁₋₄ haloalkoxy, C₁₋₄ alkylthio, C₁₋₄ haloalkylthio, HC(OR')=N and R'R''NN=C(H);

optionally substituted C₃₋₁₂ cycloalkyl, wherein, when present, each optional substituent is, independently, selected from C₁₋₃ alkyl, fluoro, chloro, bromo, hydroxy, cyano, C₁₋₄ alkoxyC(=O), formyl, nitro, C₁₋₄ alkoxy, C₁₋₄ haloalkoxy, C₁₋₄ alkylthio, C₁₋₄ haloalkylthio, HC(OR')=N and R'R''NN=C(H);

optionally substituted phenyl wherein, when present, each optional substituent is, independently, selected from C₁₋₆ alkyl, fluoro, chloro, bromo, hydroxy, cyano, C₁₋₄ alkoxyC(=O), formyl, nitro, C₁₋₄ alkoxy, C₁₋₄ haloalkoxy, C₁₋₄ alkylthio, C₁₋₄ haloalkylthio, HC(OR')=N and R'R''NN=C(H); or

optionally substituted heterocyclyl wherein, when present, each optional substituent is, independently, selected from C₁₋₆ alkyl, fluoro, chloro, bromo, hydroxy, cyano, C₁₋₄ alkoxyC(=O), formyl, nitro, C₁₋₄ alkoxy, C₁₋₄ haloalkoxy, C₁₋₄ alkylthio, C₁₋₄ haloalkylthio and HC(OR')=N; R' and

R" are, independently, hydrogen or C₁₋₄ alkyl; and R⁴, R⁵ and R⁶ are, independently, selected from hydrogen, fluoro, chloro, bromo, cyano, nitro, C₁₋₄ alkyl, C₁₋₄ haloalkyl, C₁₋₄ alkoxy(C₁₋₄)alkyl and C₁₋₄ haloalkoxy(C₁₋₄)alkyl,

provided that at least one of R⁴, R⁵ and R⁶ is not hydrogen, ~~and halo is fluoro, chloro or bromo.~~

2. (Canceled)

3. (Previously presented) A compound of formula (I) as claimed in claim 1 where R¹ is hydrogen or fluoro.

4. (Previously presented) A compound of formula (I) as claimed in claim 1 where R² is hydrogen or fluoro.

5. (Currently amended) A compound of formula (I) as claimed in claim 1 where R³ is:

C₂₋₆ alkyl;

optionally substituted C₃₋₈ cycloalkyl wherein, when present, each optional substituent is, independently, selected from C₁₋₃ alkyl, fluoro, chloro, bromo, hydroxy, cyano, C₁₋₄ alkoxyC(=O), formyl, nitro, C₁₋₄ alkoxy, C₁₋₄ haloalkoxy, C₁₋₄ alkylthio, C₁₋₄ haloalkylthio, HC(OR')=N and R'R''NN=C(H);

optionally substituted phenyl wherein, when present, each optional substituent is, independently, selected from C₁₋₆ alkyl, fluoro, chloro, bromo, hydroxy, cyano, C₁₋₄ alkoxyC(=O), formyl, nitro, C₁₋₄ alkoxy, C₁₋₄ haloalkoxy, C₁₋₄ alkylthio, C₁₋₄ haloalkylthio, HC(OR')=N and R'R''NN=C(H);

optionally substituted thienyl wherein, when present, each optional substituent is, independently, selected from C₁₋₆ alkyl, fluoro, chloro, bromo, hydroxy, cyano, C₁₋₄ alkoxyC(=O), formyl, nitro, C₁₋₄ alkoxy, C₁₋₄ haloalkoxy, C₁₋₄ alkylthio, C₁₋₄ haloalkylthio and HC(OR')=N; or

optionally substituted furyl wherein, when present, each optional substituent is, independently, selected from C₁₋₆ alkyl, fluoro, chloro, bromo, hydroxy, cyano, C₁₋₄ alkoxyC(=O), formyl, nitro, C₁₋₄ alkoxy, C₁₋₄ haloalkoxy, C₁₋₄ alkylthio, C₁₋₄ haloalkylthio and HC(OR')=N;

R' and R'' are, independently, hydrogen or C₁₋₄ alkyl.

6. (Previously presented) A compound of formula (I) as claimed in claim 1 where R^4 , R^5 and R^6 are, independently, selected from hydrogen, fluoro, chloro, bromo, C_{1-4} alkyl, C_{1-4} haloalkyl and C_{1-4} alkoxy(C_{1-4})alkyl; provided that at least one of R^4 , R^5 and R^6 is not hydrogen.

7. (Currently amended) A compound of formula (II):



where R^3 is:

optionally substituted C_{2-12} alkyl, wherein, when present, each optional substituent is, independently, selected from fluoro, chloro, bromo, hydroxy, cyano, C_{1-4} alkoxyC(=O), formyl, nitro, C_{1-4} alkoxy, C_{1-4} haloalkoxy, C_{1-4} alkylthio, C_{1-4} haloalkylthio, HC(OR')=N and R'R''NN=C(H);

optionally substituted C_{2-12} alkenyl, wherein, when present, each optional substituent is, independently, selected from fluoro, chloro, bromo, hydroxy, cyano, C_{1-4} alkoxyC(=O), formyl, nitro, C_{1-4} alkoxy, C_{1-4} haloalkoxy, C_{1-4} alkylthio, C_{1-4} haloalkylthio, HC(OR')=N and R'R''NN=C(H);

optionally substituted C_{2-12} alkynyl, wherein, when present, each optional substituent is, independently, selected from fluoro, chloro, bromo, hydroxy, cyano, C_{1-4} alkoxyC(=O), formyl, nitro, C_{1-4} alkoxy, C_{1-4} haloalkoxy, C_{1-4} alkylthio, C_{1-4} haloalkylthio, HC(OR')=N and R'R''NN=C(H);

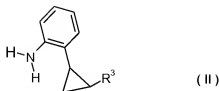
optionally substituted C_{3-12} cycloalkyl, wherein, when present, each optional substituent is, independently, selected from C_{1-3} alkyl, fluoro, chloro, bromo, hydroxy, cyano, C_{1-4} alkoxyC(=O), formyl, nitro, C_{1-4} alkoxy, C_{1-4} haloalkoxy, C_{1-4} alkylthio, C_{1-4} haloalkylthio, HC(OR')=N and R'R''NN=C(H);

optionally substituted phenyl wherein, when present, each optional substituent is, independently, selected from C_{1-6} alkyl, fluoro, chloro, bromo, hydroxy, cyano, C_{1-4} alkoxyC(=O), formyl, nitro, C_{1-4} alkoxy, C_{1-4} haloalkoxy, C_{1-4} alkylthio, C_{1-4} haloalkylthio, HC(OR')=N and R'R''NN=C(H); or

optionally substituted heterocyclyl wherein, when present, each optional substituent is, independently, selected from C_{1-6} alkyl, fluoro, chloro, bromo, hydroxy, cyano, C_{1-4} alkoxyC(=O), formyl, nitro, C_{1-4} alkoxy, C_{1-4} haloalkoxy, C_{1-4} alkylthio, C_{1-4} haloalkylthio and HC(OR')=N; and

R' and R'' are, independently, hydrogen or C_{1-4} alkyl.

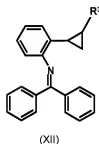
8. (Currently amended) A process for preparing a compound of formula (II)



which comprises a step using a Pd(II)catalyst-ligand-system where the ligand is selected from a suitable sterically demanding phosphine to react a compound of formula (XI)



with benzophenone imine optionally in the presence of a base to produce a compound of formula (XII)



where Hal is bromo or iodo; and

R^3 is:

optionally substituted C_{2-12} alkyl, wherein, when present, each optional substituent is, independently, selected from fluoro, chloro, hydroxy, cyano, C_{1-4} alkoxy $C(=O)$, formyl, nitro, C_{1-4} alkoxy, C_{1-4} haloalkoxy, C_{1-4} alkylthio, C_{1-4} haloalkylthio, $HC(OR')=N$ and $R'R''NN=C(H)$;

optionally substituted C_{2-12} alkenyl, wherein, when present, each optional substituent is, independently, selected from fluoro, chloro, hydroxy, cyano, C_{1-4} alkoxy $C(=O)$, formyl, nitro, C_{1-4} alkoxy, C_{1-4} haloalkoxy, C_{1-4} alkylthio, C_{1-4} haloalkylthio, $HC(OR')=N$ and $R'R''NN=C(H)$;

optionally substituted C_{2-12} alkynyl, wherein, when present, each optional substituent is, independently, selected from fluoro, chloro, bromo, hydroxy, cyano, C_{1-4} alkoxy $C(=O)$, formyl, nitro, C_{1-4} alkoxy, C_{1-4} haloalkoxy, C_{1-4} alkylthio, C_{1-4} haloalkylthio, $HC(OR')=N$ and $R'R''NN=C(H)$;

optionally substituted C₃₋₁₂ cycloalkyl, wherein, when present, each optional substituent is, independently, selected from C₁₋₃ alkyl, fluoro, chloro, bromo, hydroxy, cyano, C₁₋₄ alkoxyC(=O), formyl, nitro, C₁₋₄ alkoxy, C₁₋₄ haloalkoxy, C₁₋₄ alkylthio, C₁₋₄ haloalkylthio, HC(OR')=N and R'R''NN=C(H);

optionally substituted phenyl wherein, when present, each optional substituent is, independently, selected from C₁₋₆ alkyl, fluoro, chloro, bromo, hydroxy, cyano, C₁₋₄ alkoxyC(=O), formyl, nitro, C₁₋₄ alkoxy, C₁₋₄ haloalkoxy, C₁₋₄ alkylthio, C₁₋₄ haloalkylthio, HC(OR')=N and R'R''NN=C(H); or

optionally substituted heterocyclyl wherein, when present, each optional substituent is, independently, selected from C₁₋₆ alkyl, fluoro, chloro, bromo, hydroxy, cyano, C₁₋₄ alkoxyC(=O), formyl, nitro, C₁₋₄ alkoxy, C₁₋₄ haloalkoxy, C₁₋₄ alkylthio, C₁₋₄ haloalkylthio and HC(OR')=N; and R' and R'' are, independently, hydrogen or C₁₋₄ alkyl.

9. (Original) A composition for controlling microorganisms and preventing attack and infestation of plants therewith, wherein the active ingredient is a compound of formula (I) as claimed in claim 1 together with a suitable carrier.

10. (Original) A method of controlling or preventing infestation of cultivated plants by phytopathogenic microorganisms by application of a compound of formula (I) as claimed in claim 1 to plants, to parts thereof or the locus thereof.

11. (Previously presented) 3-Difluoromethyl-1-methyl-1H-pyrazole-4-carboxylic acid (2-bicyclopropyl-2-yl-phenyl)-amide having the formula:

